

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NICHIA CORPORATION,

No. C 06-0162 MMC

Plaintiff,

v.

SEOUL SEMICONDUCTOR CO.,LTD., et al.,

Defendants

**ORDER GRANTING IN PART AND
DENYING IN PART DEFENDANTS'
ADMINISTRATIVE MOTION TO SEAL;
DIRECTIONS TO CLERK; DIRECTIONS
TO DEFENDANTS; DIRECTIONS TO
PLAINTIFF**

Before the Court is defendants' "Administrative Motion to Seal Portions of Seoul Semiconductor Defendants' Reply in Support of Their Motion for Claim Construction and for Summary Judgment and Portions of Supporting Declaration of Amy Melaugh," filed July 9, 2007. Having reviewed the motion and the declarations offered in support thereof, the Court rules as follows:

1. The motion is hereby GRANTED in part, and the Clerk is hereby DIRECTED to file under seal unredacted versions of the following two documents:

a. Defendants Seoul Semiconductor Co., Ltd. and Seoul Semiconductor, Inc.'s Reply in Support of Their Motion for Claim Construction and for Summary Judgment; and

b. Declaration of Amy Melaugh in Support of Defendants' Reply in Support of Their Motion for Claim Construction and for Summary Judgment.

1 2. Because plaintiff has denied designated as confidential three exhibits attached
2 to the above-described Melaugh Declaration, (see Julian Decl., filed July 16, 2007, ¶ 9), the
3 motion is hereby DENIED as to such exhibits, and defendants are hereby DIRECTED to file
4 in the public record, no later than July 30, 2007, Exhibits SS, DDD, and FFF to the Melaugh
5 Declaration. If defendants fail to timely file such exhibits in the public record, the Court will
6 not consider them in ruling on defendants' motion for claim construction and for summary
7 judgment.

8 3. Although plaintiff has adequately shown that Exhibit WW to the Melaugh
9 Declaration "includes information" that is confidential, (see id. ¶ 7), plaintiff has failed to
10 show that the entirety of said exhibit is confidential, and portions thereof plainly are not,
11 (see, e.g., Melaugh Decl. Ex. WW at 144:12 - 146:11).¹ A party may not designate an
12 entire document as confidential on the ground that "portions" of the document contain
13 confidential information. See Civil L.R. 79-5(a) (providing request to file document under
14 seal "must be narrowly tailored to seek sealing only of sealable material"). Accordingly,
15 plaintiff is hereby DIRECTED to file in the public record, no later than July 30, 2007, a
16 redacted version of Ex. WW. If plaintiff fails to timely file such redacted versions in the
17 public record, the Court will direct the Clerk to file the entire exhibit in the public record.

18 **IT IS SO ORDERED.**

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20 Dated: July 25, 2007


MAXINE M. CHESNEY
United States District Judge

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¹This example is illustrative only.